



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: **Elger FUNDA, ET AL.**

International Application No. PCT/EP2003/010974

International Filing Date: 02/OCTOBER/2003

U.S. Serial No: 10/530,167

Filed: 04/APRIL/2005

<p><b>CERTIFICATE OF MAILING,</b>  <b>37 C.F.R. §1.8(a)</b>          I certify that this correspondence and the enclosures mentioned therein are being deposited by First Class U.S. Mail with sufficient postage on the date shown below, addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.  <i>Lewis F. Gould, Jr.</i>          Lewis F. Gould, Jr.          Reg. No. _____  <i>September 9, 2005</i>          Date</p>
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For: **MODIFIED LUPIN PROTEINS FOR THE PREPARATION OF WATER DISPERSIBLE PRODUCT FORMS OF FAT SOLUBLE COMPOUNDS**

**TRANSMITTAL LETTER**

MAIL STOP MISSING PARTS  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing are the following documents:

- ☒ Response to Notification of Missing Requirements;
- ☒ Assignment and Assignment Recordation Cover form;
- ☒ Please charge Deposit Account No. 04-1679 the total amount of \$670.00 to cover the \$130.00 for surcharge fee for late filing of signed Declaration; \$500.00 for additional claim fees; and \$40.00 for assignment recordation;  
 A duplicate of this transmittal page is attached.
- ☒ Return postcard;

Respectfully submitted,

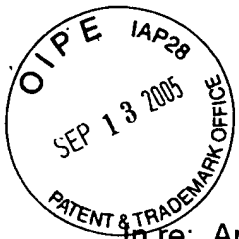
Date:

*September 9, 2005*

*Lewis F. Gould, Jr.*

Lewis F. Gould, Jr.  
 Registration No. 25,057  
 DUANE MORRIS LLP.  
 30 South 17<sup>th</sup> Street  
 Philadelphia, PA 19103-4196  
 Phone No. (215-979-1282)

Docket No: **D4695-00129**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: **Elger FUNDA, ET AL.**

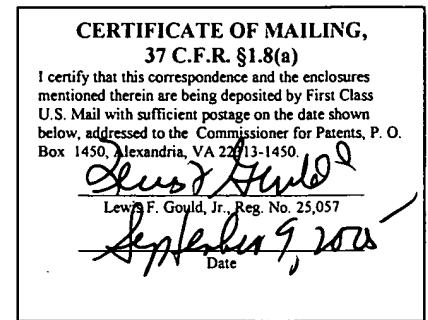
International Application No. PCT/EP2003/010974

International Filing Date: 02/OCTOBER/2003

U.S. Serial No: 10/530,167

Filed: 04/APRIL/2005

For: **MODIFIED LUPIN PROTEINS FOR THE PREPARATION OF WATER  
DISPERSIBLE PRODUCT FORMS OF FAT SOLUBLE COMPOUNDS**



**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notification of Missing Requirements mailed on August 12, 2005, applicant submits herewith:

- (1) Additional claim fees in the amount of \$500.00;
- (2) Signed Declaration and Power of Attorney (six pages);
- (3) Surcharge fees in the amount of \$130.00 (late filed Declaration);
- (4) Copy of Notification (371 Formalities Letter Confirmation No. 5611).

Applicants submit herewith the signed and dated Declaration and Power of Attorney.

Applicants respectfully request that the enclosed signed Declaration and Power of Attorney document be entered into the above-identified pending Patent Application.

The surcharge fees associated with the late filing of the signed Declaration and Power of Attorney document (\$130.00), are submitted herewith. Please charge the surcharge fees to the deposit account of the undersigned, namely, Deposit Account No. 04-1679.

Please charge the required additional claim fees of \$500.00 to the deposit account of the undersigned, namely, Deposit Account No. 04-1679.

Please charge any additional fees or credit any overpayments associated with the above-identified patent application to Deposit Account No. 04-1679.

Respectfully submitted,

Date:

September 9, 2005

Lewis F. Gould, Jr.

Lewis F. Gould, Jr.  
Registration No. 25,057  
DUANE MORRIS LLP  
30 South 30<sup>th</sup> Street  
Philadelphia, PA 19103  
(215) 979-1282

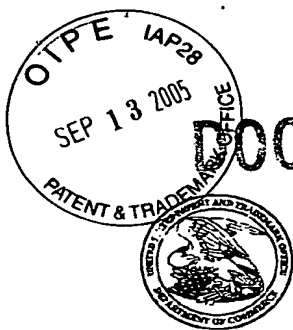
09/20/2005 ATRAN1 00000111 041679 10530167

01 FC:1617 130.00 DA

09/20/2005 ATRAN1 00000111 041679 10530167

02 FC:1615 500.00 DA

Docket No: D4695-00129



**DOCKETED**

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AUG 16 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,167	Elger Funda	D4695-00129

INTERNATIONAL APPLICATION NO.
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PCT/EP03/10974

LA. FILING DATE	PRIORITY DATE
10/02/2003	10/04/2002

08933  
DUANE MORRIS, LLP  
IP DEPARTMENT  
ONE LIBERTY PLACE  
PHILADELPHIA, PA 19103-7396

CONFIRMATION NO. 5611

371 FORMALITIES LETTER



\*OC000000016719983\*

Date Mailed: 08/12/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/04/2005
- Copy of the International Search Report filed on 04/04/2005
- Copy of IPE Report filed on 04/04/2005
- Copy of Annexes to the IPER filed on 04/04/2005
- Oath or Declaration filed on 04/04/2005
- Request for Immediate Examination filed on 04/04/2005
- U.S. Basic National Fees filed on 04/04/2005
- Priority Documents filed on 04/04/2005
- Power of Attorney filed on 04/04/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$500** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$630** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is **\$ 500**
  - **\$500** for **11** total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,167	PCT/EP03/10974	D4695-00129